

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

DOUGLAS PHILLIP BRUST, D.C., P.C.,)
individually and on behalf of all others similarly)
situated,)

Plaintiff,

V.

ORTHOPEDIC PHARMACEUTICALS, INC.,)
and)
JOHN DOES 1-10,)

Defendants.

Case No.: 4:14-cv-01170-AGF

PLAINTIFF DOUGLAS PHILLIP BRUST, D.C., P.C.'S DISMISSAL OF INDIVIDUAL CLAIMS WITH PREJUDICE OF ITS CLAIM AGAINST DEFENDANT ORTHOPEDIC PHARMACEUTICALS, INC AND WITHOUT PREJUDICE OF ITS CLAIM AGAINST DEFENDANT JOHN DOES 1-10

COMES NOW Plaintiff, DOUGLAS PHILLIP BRUST, D.C., P.C.'s, and pursuant to Rule 41 (a) (1) (A) (ii) hereby dismisses its individual claims against ORTHOPEDIC PHARMACEUTICALS, INC. **with prejudice**. John Does 1-10 are hereby dismissed **without prejudice**. No notice needs to be issued to the putative class under Rule 23, because there has been no finding that this action can proceed as a class action, and no class has been certified herein.

/s/ Max G. Margulis
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CERTIFICATE OF SERVICE

I hereby certify on May 29, 2015 that a true and correct copy of the foregoing was served on the Attorneys for Defendant, Brian Shank #59955MO, Karen L. Mayfield-Jones #57813MO, Evans & Dixon, LLC, 211 N. Broadway, Ste 2500, St. Louis MO 63102, P: 314-621-7755, F: 314-884-4466, Email: bshank@evans-dixon.com, kjones@evans-dixon.com by email by consent of the parties.

/s/ Max G. Margulis